

REMARKS/ARGUMENTS

Reconsideration of the application, in view of the included amendments and remarks, is respectfully requested.

Attorney for Applicant wishes to thank the Examiner for the courtesy of the interview conducted August 23, 2006. During the interview, the contents of the final action and references relied-upon by the Examiner were discussed. The Examiner explained her reasoning behind the rejection of the claims and her interpretation of the relevance of the references to the pending claims. No agreement was reached as to the allowance of the pending claims. Attorney agreed to submit a response to the final action which addressed the Examiner's comments.

As a result of this response, claims 1, 19, and 23 have been amended. Claims 1 and 23 have been amended to recite that after expiration of the predetermined time period, the invention performs two tasks: (1 - previously presented) it characterizes the presented alphanumeric information as unacceptable to the user; and (2 - newly presented) in response, it automatically replace(s) the alphanumeric information with a different item of alphanumeric information. Support for the amendment to claims 1 and 23 is found in the specification at least at paragraphs [0033] and [0035], and in formerly pending claims 11 and 25. Claim 19 has been amended to depend from claim 10. Claims 11, 17, 18, and 25 have been cancelled. As a result of this response, claims 1-3, 6-10, 12, 15, 19, 23-24, and 26 are pending in the application.

The previous rejections under 35 U.S.C. 102(e) have been withdrawn. However, the Examiner has made new grounds of rejection under 35 U.S.C. 103 in view of Robinson et al. (US Patent No. 6,801,190) and Riskin (US Patent No. 5,031,206).

Claim Rejections Under 35 U.S.C. § 103(a)

All previously pending claims were rejected under 35 U.S.C. § 103(a) as being unpatentable over the combination of Robinson et al. and Riskin.

As described by the Examiner,

"Robinson teaches that the system takes into consideration the user's actions to determine predictions but **it does not teach that the system characterizes a predicted item as unacceptable to the user when the user does not provide input during a predetermined time period.** However, Riskin discloses a method of identifying or guessing words from letters entered on a DTMF pushbutton pad. Riskin teaches that the user may reject or accept a word and explains that the system waits a time-out period for a reject; if the user rejects the provided choice, the system then provides another choice; and **if no reject is received before the time expires, the system assumes the word was correct;** if the # button is pushed after the timer expires, that is, the system cancels the word (the system characterizes the word as unacceptable)." (page 3 of the action, **emphasis added**). "Riskin does not specifically teach using a timer for canceling a suggestion when no user entry is received after a period of time." (page 4 of the action).

Thus, according to the Examiner, the combination of Robinson and Riskin may be characterized as:

- set timer;
- if user input indicating rejection of provided data received prior to expiration of timer, present new data;
- otherwise, if no such user input received, assume data correct;
- but, if # button received as input after expiration, assume data incorrect.

Attorney for Applicant notes that he is unsure of where support is found in Riskin for the last step (if # button received as input after expiration, assume data incorrect), but that for purposes of the present argument, it will be assumed that such support is present.

In contrast to the combination of Robinson and Riskin, the present invention as described and claimed may be characterized as:

- set timer;
- if user provides additional input before expiration of timer, assume data correct;
- otherwise, assume data incorrect and present new data.

As noted in a previous response, the claimed invention is directed to a method for operating a data input device that is designed to assist a user by predicting additional elements of alphanumeric content in response to a user inputting data representing an element of such content. An issue that arises in such predictive data entry methods and devices is how to optimize the process of presenting and determining the user's acceptance or rejection of additional elements without confusing the user or adding undesirable delays to the data entry process.

In this regard, the combination of Robinson and Riskin requires an action occurring within a timer period to indicate rejection of the proposed data, otherwise the proposed data is accepted. In contrast, the present invention as claimed requires no such action to indicate rejection of the proposed data. This is because the proposed data is assumed incorrect by virtue of the expiration of the timer period before receiving a user action. Thus, the operation of two approaches ((1) the combination of Robinson and Riskin; and (2) the present invention) differ in the outcome if no additional data is input by a user prior to expiration of the timer period.

Further, the two approaches differ in the circumstances under which new data is presented with respect to the timer period. In the combination of Robinson and Riskin, new data is presented upon receipt of a user input during the timer period. In contrast, the present invention operates such that new data is presented after expiration of the timer period. Therefore, in at least the two indicated ways, the approach of the prior art and that of the present invention are significantly different. Further, the combination of references relied upon by the Examiner actually *teach away* from the approach of the present invention because the conditions that determine a particular outcome, and the outcomes resulting from those conditions are opposite to those of the present invention. As a result, and because the references teach away

from the approach of the present invention, there can not be appropriate motivation for modifying those references to obtain the present invention (at least not without the hindsight provided by the present invention).

Thus, it is respectfully submitted that the claims, as amended, are not taught, suggested, or made obvious by the combination of Robinson and Riskin, and are therefore patentable in view of those references. As the dependent claims all depend from an independent claim that is not obvious in view of the combination of Robinson and Riskin, it is also submitted that those claims are patentable in view of the relied upon references.

CONCLUSION


In view of the foregoing amendments and remarks, Applicants believe all claims now pending in this Application are in condition for allowance. The issuance of a formal Notice of Allowance at an early date is respectfully requested. It is noted that it was not possible to prepare this response until completion of the Examiner Interview. A timely advisory action is therefore requested.

If the Examiner believes a telephone conference would expedite prosecution of this application, please telephone the undersigned at 206-467-9600.

Respectfully submitted,

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Date



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